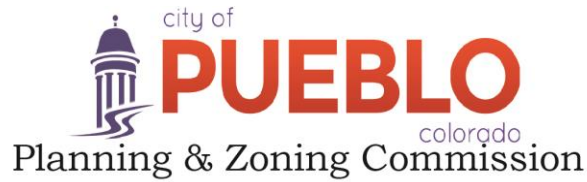


Mike Castellucci
Chair

Alex San Filippo-Rosser
Vice Chair

Bob Schilling
City Council Representative



Patrick Avalos
Alexandra Aznar
Elizabeth Bailey
Cheryl Spinuzzi

MINUTES OF REGULAR MEETING

City of Pueblo, Colorado

Wednesday, April 14, 2021 – 3:30 p.m.

The meeting and Public Hearing will be held via Zoom

Join Zoom Meeting online:

<https://pueblo.zoom.us/j/93519142144?pwd=c0pjMVgvK05JdllyQndqTHRJMIlduUT09>

Join Zoom Meeting by phone:

+1 669 900 6833 US (San Jose)

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+1 346 248 7799 US (Houston)

Online and phone Meeting ID and Password:

Meeting ID: 935 1914 2144

Passcode: 428244

MEETING CALLED TO ORDER

The meeting was called to order at 3:33 p.m. with Commissioner Castellucci presiding.

The meeting was held at City Council Chambers, 1 City Hall Place, commissioners, applicants and the public participated in person and via Zoom.

Commissioners Present: Mike Castellucci, Patrick Avalos, Cheryl Spinuzzi, Bob Schilling, Alexandra Aznar, and Lisa Bailey.

Commissioners Absent: Alex San-Filippo-Rosser

Staff Members Present: Dan Kogovsek, City Attorney; Scott Hobson, Acting Director for Department of Planning and Community Development; Beritt Odom, Principal Planner; Chelsea Stromberg, Planner; Joe Martellaro, Associate Engineer II and Erik Duran, Fire Inspector.

APPROVAL OF AGENDA

A Motion was made by Bailey to approve the agenda, Seconded by Spinuzzi.

Motion passed 6-0. (Alex San Filippo-Rosser is absent)

PUBLIC HEARINGS AND ACTION

Regular Agenda

1. Z-20-13 PUD VILLA BELLA.

The applicant is requesting to amend the Villa Bella Planned Unit Development Guide relating to the mechanism with which amendments to the PUD Development Guide are requested, amending the land use for parcels 5 and 6 from multifamily residential to single family residential, and amendments to the commercial sign regulations within the PUD.

STAFF REVIEW AND FINDINGS:

Staff report given by Planner, Chelsea Stromberg.

December 12, 2007 the Planning and Zoning Commission recommended approval of the Villa Bella Planned Unit Development and rezoning. City Council approved the Villa Bella PUD in January 2008, providing general design standards for the property. January 25, 2017, the Thunder Village Urban Design Plan was approved by the Planning Zoning Commission, which establishes additional development design guidelines for portions of the 601.3-acre development.

Since the original PUD Development Guide approval, architectural and development trends have evolved. The Ownership Representative is requesting to modify the Villa Bella PUD to streamline the development process and provide increased opportunities for single family detached residential development. Below is a summary of requested modifications to the Villa Bella PUD Development Guide:

- Request and approval of future amendments to the Villa Bella PUD Development Guide shall only require consent and approval of the President (and on behalf) of the Thunder Village Metropolitan District.
- Future amendments to the Villa Bella PUD Development Guide shall not require consent of all property owners found within the PUD boundaries, only notification of the amendment.
- Removal of the phased approach to development, instead developing as market conditions and the local economy allow.
- Removal of the primary design theme of “contemporary western and southwestern regional styles of architecture” to allow more flexibility in design.
- Alphabetization of the definitions.
- Reducing the minimum required lot size and setbacks for single family detached lots.
- Increasing the maximum lot coverage for single family detached lots from 55% to 75%.
- Inclusion of the Thunder Village Urban Design Plan into the Villa Bella Development Guide to streamline and simplify development, creating one comprehensive document rather than two separate documents.
- Changing the land use designation for Land Use Parcels 10 and 11 from Multi-Family Residential to Single Family Detached residential.
- Updating charts and maps to reflect the changes noted above.
- Changes to commercial sign regulations.

RECOMMENDED ACTION:

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the zoning map amendment be **APPROVED**.

HEARING:

Lee Meisner, 4810 Jasmine Court, Pueblo, CO, the applicant, appeared and testified in favor of the application. Mr. Meisner explained that there is currently no mechanism to amend a PUD unless all the owners have given their consent. That is easy at this point because there are only three property owners currently. Mr. Meisner stated that when we start developing residential lots there will be more owners. Mr. Meisner said in talking with the City and City Council the idea of a Metro District, that can propose an amendment to the PUD when it is needed was proposed. The Metro District could communicate with the landowners and make notifications to them. With a Metro District they would not need every property owner's consent to amend the PUD. Mr. Meisner stated they had already had a Metro District meeting. When we were reviewing the PUD, we noticed there were large lot sizes for single family houses. For example, one of the first lots on the plat for a detached home was 65 feet x125 feet deep which is a good size lot. At this lot size and development of building a house that would produce a house costing in the \$300,000s. With there being a shortage of lots in the city we would like to offer a range in lot sizes. Commissioner Bailey asked in the future will that area be in a HOA type of neighborhood? Mr. Meisner explains that this topic has come up multiple times, but we do not have a definite answer at this time. He stated they are working with the Metro District to try figure out if they will need a HOA or not. They questioned if just some areas of the PUD will need an HOA or the entire PUD. Commissioner Castellucci asked how big of a board will be on this Metro District board and how often will there need to be a Metro District election? Mr. Meisner stated he did not know all the exact details. He mentioned they have an attorney that will handle those types of details. Mr. Meisner stated that this has been a fully working Metro District since 2008. Commissioner Castellucci asked Mr. Kogovsek if the Metro District was set up as a statute or set up for each individually Metro District? Mr. Kogovsek stated that it is by statute in Colorado Revised Statute Title 32, that the board members must be elected and there are elections every two years. For example, Pueblo West Metro hires the County Clerk to do their elections, but that has not been necessary for this district because there are only three property owners currently, but as lots are sold this will need to go into effect. Commissioner Spinuzzi asked if on the smaller lots like 40-foot lots that have 75% coverage, will they still make the 5-foot setbacks? How big of a home will that be? Mr. Meisner referred to the PUD stating that in the PUD they will still need to meet all the setbacks set for that zone district. Mr. Meisner also stated that over the years there has been many developers that wanted to make smaller homes made from shipping containers and we have passed on all of them. We think of this area as the front door of the University, so even in the smaller houses, quality will be very important. Commissioner Spinuzzi also asked if he was planning on developing this himself, or if he was going to sell to contractors or home builders. Mr. Meisner answered yes, they would be selling lots to outside developers as they are not equipped to do the whole development.

No one testified in opposition of the application.

Commissioner Castellucci closed the hearing and requested a motion.

COMMISSION ACTION:

A Motion to forward a recommendation to City Council that the PUD Amendment be **APPROVED with Conditions**, was made by Schilling, seconded by Bailey:

Motion passed 6-0. (Alex San Filippo-Rosser is absent)

2. Z-21-02 REZONING 2039 ALMA.

The applicant is requesting to rezone 2039 Alma Avenue, legally described as Lot 2 Lakeview West Sub, County of Pueblo, State of Colorado. Total rezone area is approximately 2.68 acres, currently developed with a 14,000 square foot building and associated parking lot.

STAFF REVIEW AND FINDINGS:

Staff report given by Planner, Chelsea Stromberg.

Current uses of the subject property are limited professional office and service, retail, and convenience type goods and services required by the surrounding neighborhood; however, the Pueblo Regional Comprehensive Plan has designated the property for arterial commercial mixed uses. The standards of the B-P are designed to provide for a limited number of retail, office, warehouse, light industrial and manufacturing uses within a business park. Since some BP property may be located near residential zone districts, it is necessary that high development and performance standards be established and that all manufacturing, processing or assembling of materials and products be conducted in a manner not injurious or offensive to the residents of surrounding properties. Sec. 17-4-5(4)b(3) requires buildings within a B-P Zone to be a minimum of 100 feet from residential zone districts. The existing building does not meet this requirement as it is approximately 70 feet from the nearest residential zone district, therefore the applicant will need to seek a variance from the Zoning Board of Appeals. The proposed B-P commercial zoning conforms with the future land use designation and is appropriate for the Lakeview Ave corridor. Additionally, the site meets all B-P Zone District regulations for area and width.

RECOMMENDED ACTION:

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the zoning map amendment be **APPROVED** with the following staff condition:

1. The requested variance from Sec. 17-4-5(4)b(3) must be approved by the Zoning Board of Appeals prior to City Council review and approval of the proposed zoning map amendment.

HEARING:

Jason Casados, 42 Tierra Casa Drive, Pueblo, CO, the applicant, appeared and testified in favor of the application. Mr. Casados stated that they can meet all the conditions that Ms. Stromberg has stated.

Nikki Thomas, 2618 Lakeview Avenue, Pueblo, CO, appeared and testified in favor of the application. Ms. Thomas just wanted show support for this case. She also stated that the new

improvements to the building and the landscaping that Jason has done has only improved the property. Commissioner Spinuzzi asked which direction you are neighboring Mr. Casados property. Ms. Thomas stated she was to the North of Mr. Casados property.

No one testified in opposition of the application.

Commissioner Castellucci closed the hearing and requested a motion.

COMMISSION ACTION:

A Motion to forward a recommendation to City Council that the Rezoning of 2039 Alma Ave. be **APPROVED with Conditions**, was made by Avalos, seconded by Bailey:

Motion passed 6-0. (Alex San Filippo-Rosser is absent)

3a. Z-21-03 REZONING 2314 SOUTH PRAIRIE.

The applicant is requesting to rezone the 2.844-acre parcel located at 2314 S. Prairie Avenue (unsubdivided) from R-2, Single Family Residential to BP-Business Park to facilitate development of “rental spaces” consisting of six structures with floor areas between 3,000 and 4,800 square feet.

STAFF REVIEW AND FINDINGS:

Staff report given by Principal Planner, Beritt Odom.

The subject property was annexed into the city in 1972 (Ordinance 3646) and was zoned R-2, Single Family Residential upon annexation. The site sits adjacent to Prairie Avenue, which is currently classified as a principal arterial street, reserved for “fast or heavy traffic” (Pueblo Municipal Code § 12-4-3, (9), b.). Single-family residential development is generally not an appropriate use adjacent to a heavy traffic street. Properties located adjacent to the subject site, consist of personal storage, single-family residential, religious, and building supply retail, making it an eclectic mixture of uses. The proposed Business Park Zone District will allow for retail, office, and warehouse uses, which is more appropriate along a principal arterial street.

The applicant provided a preliminary site plan for the proposed leased storage use. The site plan shows six structures, three situated adjacent to the north property line and three situated adjacent to the southern property line. The eastern portion of the site will be reserved for fenced outdoor storage. The BP Zone District allows for commercial storage uses; however, it requires that all structures be constructed 100 feet from a residential zone district. The applicant may choose to revise the site plan to meet the district requirements or request a variance since the property to the south is zoned for single-family but is used as a church.

RECOMMENDED ACTION:

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the zoning map amendment be **APPROVED**:

HEARING:

Joe Gagliano, 1740 Eagleridge Blvd Suite 150, Pueblo, CO, the applicant, appeared and testified in favor of the application.

Ernie and Taryn Felzien, 2505 Tucci Lane, Pueblo, CO, appeared and testified in opposition of the application. Mr. Felzien had concerns as to what type of business would be allowed. He stated he was concerned about marijuana uses being allowed in the proposed district. Commissioner Castellucci responded by saying that we do not exactly know what the businesses will be. They would have to meet the requirements of the BP Zone District. Mr. Felzien asks could it be anything for a retail establishment? Ms. Odom states general retail is allowed in this zone district but around the perimeter of the property they will have to put up a six-foot buffer fence and a ten-foot landscape buffer to eliminate any noise. They do not need to do this till they occur a building permit, Mr. Felzien was also concerned about stormwater runoff and had questions about the detention ponds. Mrs. Felzien asked if the detention pond would protrude into the alley way. Ms. Odom said that there was a mistake in the staff report, that the map in the staff report was an older version, Mr. Gagliano has provided updated plat map and site plan that shows the full width of Alma Avenue. The stormwater detention pond will go to the west it will not encroach into Alma Avenue. Mr. Gagliano agreed to meet with Mr. and Mrs. Felzien to further discuss the concerns of the detention pond. Mr. Felzien was also concerned about a retail marijuana store occupying this area, he would be opposed to that because that backs right up to his back yard. Principle Planner Odom advised that as part of the conditional use permit needed for retail marijuana, there are conditions they must meet. There is a buffer for retail marijuana stores, they must be 300 feet away from residential zones. Ms. Odom looked at the map and confirmed that they would not be able to have a retail marijuana store at this property location because there was less than 300 feet between the property to be rezoned and residential zones. Mr. Hobson added there can only be eight retail marijuana licenses and all eight are filled at this time.

Commissioner Castellucci closed the hearing and requested a motion.

COMMISSION ACTION:

A Motion to forward a recommendation to City Council that the Rezoning of 2314 S. Prairie Zone District of R-2 to BP be **APPROVED** , was made by Bailey, seconded by Schilling:

Motion passed 6-0. (Alex San Filippo-Rosser is absent)

3b. S-21-01 SUBDIVISION 2314 SOUTH PRAIRIE AVE.

The applicant is requesting to subdivide the 2.844-acre property into one lot to facilitate development of “rental spaces” consisting of six structures with floor areas between 3,000 and 4,800 square feet.

STAFF REVIEW AND FINDINGS:

Staff report given by Principal Planner, Beritt Odom.

The subject property is located south of Bockman Avenue and north of Tucci Lane on the east side of S. Prairie Avenue. The land has never been subdivided and is currently unimproved. The property was annexed into the City in 1972 (Ordinance 3646) and was zoned R-2, Single Family

Residential upon annexation. The Pueblo Comprehensive Plan has designated this area as Arterial Commercial Mixed Use. A one lot subdivision intended for commercial/business park activities is appropriate within the designation.

RECOMMENDED MOTION: The Subdivision Review Committee recommends the Planning and Zoning Commission forward a recommendation the requested Subdivision be **APPROVED** with the following noted:

Request for waiver from requirements:	<ol style="list-style-type: none"> 1. Traffic Study Waiver: The Subdivision Review Committee has no objection to waiving the Traffic Impact Study, SRC Memo, April 8, 2021. 2. Waiver to allow the 13.2 KV overhead primary electrical lines to remain. “These lines are built onto the same support poles as the 69KV transmission line. Any new electrical primary or secondary feeds less than 30KV will be accomplished underground” (Memo from Joe Gagliano, Gagliano Engineering, February 8, 2021). <i>The Subdivision Review Committee has no objection to the waiver request. The existing 13.2KV overhead primary electrical lines are included in the City’s Prairie Ave. Overhead Utility undergrounding project.</i>
Requests for Modifications to Requirements:	Request for Deferred Filings: The Subdivision Review Committee has no objection to the Request for Deferred Filings, SRC Memo, April 8, 2021.
Plat Deficiencies:	N/A
Conditions of Approval: (Unless otherwise noted, all conditions of approval must be completed prior to the case being scheduled for City Council hearing.)	A ratification of plat statement signed by the holder of the deed of trust, must be submitted prior to the subdivision being reviewed by City Council.

HEARING:

Joe Gagliano, 1740 Eagleridge Blvd Suite 150, Pueblo, CO, the applicant, appeared and testified in favor of the application.

No one testified in opposition of the application.

Commissioner Castellucci closed the hearing and requested a motion.

COMMISSION ACTION:

A Motion to forward a recommendation to City Council that the Subdivision of 2314 S. Prairie be **APPROVED with Conditions**, was made by Schilling, seconded by Bailey:

Motion passed 6-0. (Alex San Filippo-Rosser is absent)

4. SNC-21-01 STREET NAME CHANGE FROM CBI DRIVE TO CANNOLI DRIVE.

To change the street name of from CBI Drive to Cannoli Drive.

STAFF REVIEW AND FINDINGS:

Staff report given by Planner, Chelsea Stromberg.

This street is in the Villa Bella subdivision, which was recorded in 2009 and established the street name. The name CBI Drive was chosen due to the prospective development of a new building for the Colorado Bureau of Investigations (CBI). The CBI development did not come to fruition and therefore the applicant requests to change the name to something more compatible with the Italian-inspired street names consistent throughout the rest of Villa Bella. The Villa Bella PUD is mostly undeveloped, with some commercial, residential, and a charter school. CBI Drive does not have any addresses designated at this point and this action will not result in any negative impact. This request was filed by a representative of the owner and is strongly supported by the City's Transportation and GIS Departments.

RECOMMENDED ACTION:

Staff recommends that the Street Name Change be APPROVED.

HEARING:

No one testified in opposition of the application.

Commissioner Castellucci closed the hearing and requested a motion.

COMMISSION ACTION:

A Motion to forward a recommendation to City Council that the Renaming from CBI Drive to Cannoli Drive be **APPROVED**, was made by Schilling, seconded by Avalos:

Motion passed 6-0. (Alex San Filippo-Rosser is absent)

5. SNC-21-02 STREET NAME CHANGE FROM BELLA NOLTE DRIVE TO BELLA NOTTE DRIVE.

To change the street name of from Bella Nolte Drive to Bella Notte Drive.

STAFF REVIEW AND FINDINGS:

Staff report given by Planner, Chelsea Stromberg.

This street is in the Villa Bella subdivision, which was recorded in 2009 and established the street name. The name Bella Nolte was created in error, the intended name was Bella Notte, meaning "Beautiful Night", which is consistent with the Italian-inspired street names found throughout the rest of Villa Bella. The Villa Bella PUD is mostly undeveloped, with some commercial, residential, and a charter school. Bella Nolte Drive does not have any addresses designated at this point and this action will not result in any negative impact. This request was filed by a representative of the owner and is strongly supported by the City's Transportation and GIS Departments.

RECOMMENDED ACTION:

Staff recommends that the Street Name Change be APPROVED.

HEARING:

No one testified in opposition of the application.

Commissioner Castellucci closed the hearing and requested a motion.

COMMISSION ACTION:

A Motion to forward a recommendation to City Council that the Renaming from Bella Nolte Drive to Bella Notte Drive be **APPROVED**, was made by Bailey, seconded by Schilling:

Motion passed 6-0. (Alex San Filippo-Rosser is absent)

APPROVAL OF MINUTES

A Motion was made by Commissioner Schilling to **APPROVE** the Minutes of the March 10, 2021 Public Hearing, seconded by Commissioner Bailey:

Motion passed 6-0. (Alex San Filippo-Rosser is absent)

OLD/NEW BUSINESS

ADJOURN

There being no further business the Regular Meeting was adjourned at 4:48 p.m.

Respectfully submitted,

Attest:

Mike Castellucci
Chairperson

Scott Hobson
Executive Secretary

Digital recordings of all the meetings of the Planning and Zoning Commission are maintained and available for inspection and review during normal business hours (M – F, 8 a.m. – 5 p.m.) at the Department of Planning & Community Development, 211 East D Street, Pueblo, CO.